
ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

WD-WEB-3

2003

Privately-Owned Wastewater Treatment Facilities

Eligibility and Requirements

The DES Water Division receives occasional inquiries as to whether privately owned wastewater treatment facilities may be permitted and constructed in the state. Such non-municipal treatment facilities -- typically serving condominium developments, residential institutions, shopping malls, or institutions -- **are** permissible, but are subject to stringent permit issuance requirements to ensure their proper design, financial integrity, and operational efficiency.

When are facilities eligible for permits?

Under New Hampshire Administrative Rules Env-Ws 700, private wastewater treatment facilities are eligible to obtain necessary surface or groundwater discharge permits only upon demonstration that:

- All conventional subsurface disposal options have been investigated and exhausted.
- Connection to a municipal wastewater collection/treatment system is not possible or reasonably attainable.
- Plant design capacity is 50,000 gpd or greater (facilities proposed to alleviate existing failed disposal systems are exempt from this flow restriction).
- The municipality, by vote of its governing body, refuses to own/operate the facility or to (co) hold any discharge permit.

What application information is required?

Permit applicants must furnish the following technical and supporting documentation to the DES Water Division for review:

- Engineering, hydrogeological, and water quality assessment studies.
- Sewerage design drawings/specifications.
- Certification of local approvals.
- Construction certification.
- Certified operator agreements.
- Facilities Operation & Maintenance manual.

The rules also require submittal of certain financial, ownership and documentation information, including:

- Adoption of a pro rata user charge system.
- Creation of a capital reserve account for facilities replacement and emergency operation, accessible by the State.
- Articles of Incorporation, Partnership Agreement or Condominium Instruments.
- Executed agreement between owner and municipality to (co) hold permit.
- N.H. Public Utilities Commission determination as to whether the facility owner is, or will be, subject to rules of the NHPUC.

Prospective owners/operators of private wastewater treatment facilities are referred to New Hampshire Administrative Rules Env-Ws 700, Standards of Design for Sewerage and Wastewater Treatment Facilities, copies of which are available from DES upon request.

For more information, contact the DES Water Division, Wastewater Engineering Bureau, at (603) 271-3503.